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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/791,282	03/03/2004	Ichiro Aoshima	SE-US035160	8930	
22919	7590 09/21/2005		EXAMINER		
	GLOBAL IP COUNSE	SUN, XIUQIN			
	STREET, NW, SUITE 70 TON, DC 20036-2680	U	ART UNIT	PAPER NUMBER	
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			DATE MAILED: 09/21/2003	5	

Please find below and/or attached an Office communication concerning this application or proceeding.

### Diffice Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Repty			Application No.	Applicant(s)	· · · · · ·			
Niugin Sun 2863 Niug	Office Action Summary		10/791,282	AOSHIMA ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extension of term any to evalish under the provisions of 37 CFR 1361, in a revert, however, any a retybe be invertigated and the covered of the communication. Failure to equivalent the season of the communication of the covered of the communication, even if limity field, may reduce any control practice. The department of the communication, even if limity field, may reduce any control practice. The department of the communication of the communication, even if limity field, may reduce any control practice. The department of the communication of the communication, even if limity field, may reduce any control practice. The department of the communication of the communication of the communication of the communication. 1) □ Responsive to communication(s) field on 0.3 March 2004. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3.□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4.) □ Claim(s)			Examiner	Art Unit	m			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Exercisions of intensity the profession of 37 CPR 1.19(a), in no event, however, may a neigh be timely filled. - If No proted for may be specified be used the provisions of 37 CPR 1.19(a), in no event, however, may a neigh be timely filled. - If No proted for may be specified above, the maximum studiety protein will apply and will expire 35 (b) MONTPS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by studies, cause the application to become ABANODIED (53 U.S. 5, 131), Any rathy promoted by the other communication. - Failure to reply within the set or extended period for reply will, by studies, cause the application to become ABANODIED (53 U.S. 5, 131), Any rathy promoted by the set of this communication, even if timely sited, may retrice any restricts any process of the set of the communication, even if timely sited, may retrice any restricts any process. - Failure to reply within the set or extended period for reply will, by studies, and the set of the communication. - Failure to reply within the set or extended promoted to the communication. - Failure to reply within the set or extended period to the communication. - Failure to reply within the set or extended period for the set of the communication. - Failure to reply within the set or extended period for the set of the communication. - Failure to reply within the set of the								
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Estabasions of time may be available under the provisions of 3°CFR 1.136(b). In nevent, however, may a reply be limitely filled after SIX (8) MONTHS from the mailing date of this communication and provided by the communication and provided by the Office is after than three months after the mailing date of this communication, reply received by the Office is after than three months after the mailing date of this communication, went is finely filled, may reduce any seamed patter than adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on 03 March 2004. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4(a) Of the above claim(s) is/are pending in the application. 4(a) Of the above claim(s) is/are withdrawn from consideration. 5(claim(s) is/are allowed. 6(claim(s) is/are rejected. 7(claim(s) is/are sobjected to by the Examiner. 8(d) The crawing(s) filed on is/are rejected. 7(d) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9(c) The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some 'c) None of: 1. Certified copies of the priority documents have been received in Application No. 2. Cepties of the certified copies of the priority documents have been received in this National St			opears on the cover sheet	with the correspondence add	dress			
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			8) 5) Notice	of Informal Patent Application (PTO	9-152)			
			6) U Other:	···········				

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I. The species best illustrated by the specification on pages 7-19, sections 0056-00122.

Species II. The species best illustrated by the specification on pages 19-21, sections 00123-00132.

Species III. The species best illustrated by the specification on pages 21-23, sections 00133-00143.

Species IV. The species best illustrated by the specification on pages 23-24, sections 00144-00150.

Species V. The species best illustrated by the specification on pages 24-27, sections 00151-00163.

- 2. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are deemed generic. **Applicant must** identify the claims he deems to belong to the elected species.
- 3. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim

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is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

- 4. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. M.P.E.P. § 809.02(a).
- 5. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. § 103 of the other invention.
- 6. During a telephone conversation with David Tarrnoff on 09/12/2005 no election was made.

Affirmation of this election must be made by applicant in replying to this Office action. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143)

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiuqin Sun whose telephone number is (571)272-2280. The examiner can normally be reached on 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571)272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Xiuqin Sun Examiner Art Unit 2863

MICHAEL NGHILLER